



Richard J. Wittbrodt ,Esq.
Los Angeles,California



Current Employer-Title

Gibbs Giden Locher Turner Senet & Wittbrodt LLP (Gibbs Giden) - Partner, Executive Committee Member

Profession

Attorney, Arbitrator/Mediator

Work History

Partner/Executive Committee Member/Managing Partner/Associate, Gibbs Giden, 1988-Present; Public Accountant, 1981-1984.

Experience

Attorney with over 30 years of practice, primary emphasis in construction litigation, including prosecuting and defending claims of delay, design issues, breach of contract, warranty of plans and specifications, prompt payment requirements, contract interpretation issues, lost profits, disruption, defective construction, mechanics lien and stop notice foreclosure actions, for both public and private projects. Experience representing owners, designers, general contractors and subcontractors on multi-million-dollar complex cases involving hospitals, hotels, commercial structures, educational institutions, and transportation and other infrastructure projects. Claim amounts have ranged from \$1M to over \$100M.

Argued before Court of Appeal in a case of first impression: (setting the standard for probable validity of cross-complaints for writs of attachment), and co-author of the seminal construction law treatise, California Construction Law (Walters Kluwer, Publisher)

Experience building consensus within groups, experience settling cases and dealing with all aspects of running a business, including balancing high expectations, difficult responsibility, and unique personalities. Law practice emphasized complex construction litigation, including prosecuting and

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Neutral ID: 5192961

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defending claims of delay, disruption, defective construction, mechanics liens, and stop payment notices, for both public and private projects. Experience representing large general contractors, owners, and design firms with multi-million-dollar complex claims on airport, high speed rail, hospital, and hotel projects, on delay, design, breach of contract, warranty of plans and specifications, prompt pay, and contract interpretation issues.

Alternative Dispute Resolution Experience

Over 30 years practicing law with a significant number of mediations and arbitrations for construction project disputes including: construction of light rail transportation project; airport fuel tank farm; new hospital under OSHPD jurisdiction; hospital patient tower; dispute concerning construction of hotels including ground up construction, expansion and refurbishment; environmental soil work at new housing development; construction of a parking structure at a public university; multiple construction disputes on K12 campuses; construction of a solar array at K12 facility; multiple disputes with general contractors concerning construction of new kitchens for K12 facilities; construction of a solar array at a commercial project; supply contract for various construction projects; dispute between a union and a public entity over construction of a new distribution facility; and many disputes concerning commercial and other public works projects.

Education

Pepperdine University School of Law (JD, cum laude-1988); Golden Gate University (MBA, Tax-1984); University of Michigan (BBA, with distinction, Accounting-1980)

LEED® Accredited Professional, 2009.

Professional Licenses

Admitted to the Bar: California (1988); U.S. District Court: Central, Eastern, Northern, and Southern Districts of California (1988)

Certified Public Accountant: Michigan, California (Inactive-1983).

Professional Associations

Fellow of the American College of Construction Lawyers
AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2021; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards, 2021;
ABA, Forum on Construction Law, Finance Committee Chair, 2020-Present;
ABA, Forum on Construction Law, Member, 2010-Present, Governing Committee 2017-2020;
LEGUS an International Network of Law Firms, Advisory Board Member, 2008-2020;
State Bar of California, Member, 1988-Present.

Recent Publications & Speaking Engagements

PUBLICATIONS:
R. Wittbrodt (Co-Author) California Construction Law, 18th Ed. and 2019 Supplement (Wolters Kluwer Law and Business 2019).
R. Wittbrodt Chapter 7, "Scheduling and Proof of Delay Claims," California Construction Law, 18th Ed. Supplement (Wolters Kluwer Law

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and Business 2019).

R. Wittbrodt (Co-Author) Chapter 6, "Construction Claims," California Construction Law, 18th Ed. Supplement (Wolters Kluwer Law and Business 2019).

R. Wittbrodt (Co-Author) "It's Getting better All the Time": Best Practices in Presenting Delay Claims Bench Trial/Arbitration/Jury Trial, The Construction Lawyer, Fall 2017

R. Wittbrodt (Co-Author), Applying Lydig to the Requirements for Requesting a Writ of Attachment, Los Angeles Lawyer, April 2016

R. Wittbrodt (Co-Author), Chapter 6, "Construction Claims," California Construction Law, 17th Ed. Supplement (Wolters Kluwer Law and Business 2012-2018).

R. Wittbrodt (Co-Author and Update Author), Chapter 5, "Private Works Contracts: Disputes, Remedies for Breach of Contract," California Construction Contracts, Defects and Litigation, Continuing Education of the Bar (Cal. CEB 2009-2018).

R. Wittbrodt (Co-Author), Construction Divorce: Protect Your Client's Claim Before It Is Too Late (Parts 1 and 2), CEB (Continuing Education of the California Bar) Real Property Law Reporter, (Part 1) September 2011 and (Part 2) November 2011.

R. Wittbrodt (Co-Author), Chapter 12, "Bankruptcy in the Construction Industry," California Construction Law, 17th Ed. and Update Supplement (Aspen Publisher 2011).

R. Wittbrodt, Prejudgment Remedies and Collection For Owners or Contractors on a Construction Project, Written Materials, Digitally Published Program Materials, The Age of Turbulence: Managing Money Issues in Construction Presented in Cooperation with the State Bar of Texas Construction Law Section and the ABA Construction Committee of the Section of Litigation, 2010 ABA Forum on the Construction Industry Annual Meeting, April 24, 2010.

R. Wittbrodt (Co-Author), Understanding Contractual Suspension Terms: A Risk Management Tool for Owners and Contractors CEB (Continuing Education of the California Bar) Real Property Law Reporter, Summer 2010.

R. Wittbrodt (Co-Author), Understanding Contractor Rights & Risks, CFMA Building Profits Magazine for Construction Financial Professionals, March – April 2010.

R. Wittbrodt (Co-Author), Project Suspension: What Owners and Contractors Need To Know – NOW! Article/White Paper, CMAA Southern California Chapter Newsletter, Summer 2009.

R. Wittbrodt, Chapter 11, "Termination," and Chapter 12, "Project Closeout," California Construction Law (HLK Global Communications, Inc., 2007).

Speaker, ABA Forum on Construction Law – Fall Meeting (October 2016); Topic: It's Getting Better All The Time: Best Practices in Presenting Delay Claims

Moderator and Speaker, Gibbs Giden Annual Review Preview Construction Law Seminars (2006-2016)

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SPEAKING ENGAGEMENTS:

Speaker, Moss Adams, LLP Construction Industry Roundtable (Dec. 2010);
Topic: Construction Law Discussion
Speaker, ABA Forum on the Construction Industry – Annual Meeting
(April 2010); Topic: Pre and Post Judgment Collection Remedies: Show
Me The Money!
Speaker, Construction Financial Management Association (Oct., Nov.
2009); Topic: Legislative and Case Law Update
Speaker, Los Angeles County Bar Association (April 2009); Topic:
Mechanics Lien’s and Bonded Stop Notices and Their Uses in Tough
Economic Times
Speaker, AOD Conference West, Session 9 (May 5 -6, 2008); Topic:
Overview of New Building Technologies: What Owners and Developers
Should Know
Speaker, Lorman Education Services (2004); Topic: Construction Liens and
Other Construction Issues in California
Speaker, Lorman Education Services (2000 – 2001); Topic: Public and
Private Construction Law in California

Citizenship

United States of America

Languages

English

Compensation:

Hearing:	\$700.00 per hour
Study:	\$700.00 per hour
Cancellation:	\$6,000.00 per day
Cancellation Period:	5 days
Comment:	effective 2/1/2025 for new matters

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